



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,515	08/14/2001	Kumaraguru Muthukumaraswamy	K107-app	8393

7590 02/05/2004

Gerald E. Linden  
12925 LaRochelle Cr.  
Palm Beach Gardens, FL 33410

EXAMINER
----------

CAO, CHUN

ART UNIT	PAPER NUMBER
----------	--------------

2115

DATE MAILED: 02/05/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/929,515

Applicant(s)

ROSTOKER ET AL.

Examiner

Chun Cao

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 23-48, 52-54, 58 and 59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 29-46, 52, 53 and 58 is/are allowed.
- 6) ☒ Claim(s) 23-28, 47, 48 and 54 is/are rejected.
- 7) ☒ Claim(s) 59 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**FINAL REJECTION**

1. Claims 23-48, 52-54, 58 and 59 are presented for examination. Claim 59 is newly added claim.
2. The text of those applicable section of Title 35, U.S. Code not included in this action can be found in the prior Office Action.
3. Claims 23, 24, 26-28, 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilson (Gilson), U.S. Patent No. 5,600,845 in view of Hansen et al. (Hansen), U.S. Patent No. 5,742,840.
4. Claim 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Gilson, U.S. Patent No. 5,600,845 and Hansen et al. (Hansen), U.S. Patent No. 5,742,840 as applied to claim 1 above, and further in view of Chang (Chang), U.S. Patent No. 5,687,325.
5. In the remarks, applicant argued in substance that such combination of Gilson and Hansen would be unfavorable because of increased complexity and cost required to implement the redundant element.
6. The examiner traverses applicant's argument. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Hansen discloses a media processor [12, fig. 7] with a virtual instruction set capable of implementing a variety of multimedia algorithms [fig. 7; col. 11, lines 52-60; col. 15, lines 7-21]. It would have been obvious to one of

Art Unit: 2115

ordinary skill in the art at the time the invention was made to combine the teaching of Gilson and Hansen, therein, by substituting the function of Hansen's media processor to Gilson's processor [14, fig.1] would improve the functionality of Gilson's system by allowing to execute virtual instructions. Therefore, the combination of Gilson and Hansen contained all the limitations in present claim 23 in the application.

7. Claims 48 and 54 are rejected under 35 U.S.C. 102(e) as being anticipated by Gilson, U.S. Patent No. 5,600,845 (hereinafter "Gilson").

As claim 48, Gilson discloses a multimedia interface [fig. 4] comprising:

an integrated circuit chip [60, fig. 3; col. 7, lines 63-65];

a block of reconfigurable logic as a field programmable gate array that incorporated on the chip [16, fig. 1; col. 5, lines 24-26; col. 8, lines 1-4];

a block media processor [70, RISC processor] incorporated on the chip separately from the reconfigurable logic block [col. 5, lines 23-35; col. 8, lines 1-11]; and

an audio CODEC [90, 96, fig. 3] and an analog interface [74, fig. 3] incorporated on the IC chip, the audio CODEC communicating via the analog interface with external analog signal [col. 8, lines 12-25].

As per 54 is written in means plus function format and contain the same limitation as claim 48, therefore the same rejections applied.

***Allowable Subject Matter***

8. Claim 59 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 29-46, 52, 53 and 58 are allow over prior art.
10. Applicant's arguments filed 11/15/2003 have been fully considered but are not persuasive in view of new ground(s) rejection.
11. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao at (703) 308-6106. The examiner can normally be reached on Monday-Friday from 7:30 am - 4:00 pm. If attempts to reach the examiner by phone

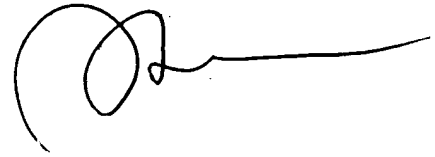
Art Unit: 2115

are unsuccessful, the examiner's supervisor Thomas Lee can be reached at (703) 305-9717. The fax number for this Art Unit is following: Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631.

Chun Cao

Jan. 26, 2004

A handwritten signature in black ink, consisting of a large, stylized 'T' followed by a horizontal line.

THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100